

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of populating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

NAME
GAV

(a) PLAINTIFFS
(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

Phila

(c) Attorneys (Firm Name, Address, and Telephone Number)

Henry J. Scher 216-985-1003
#1930 1500 York Blvd Philadelphia 19102

DEFENDANTS

500 University Hospital Allegheny Regional Health System, Inc.
Allegheny Regional Health System, Inc.
Virginia Jeffrey Tavel

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff
 2 U.S. Government Defendant
 3 Federal Question (U.S. Government Not a Party)
 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

PTF	DEF	PTF	DEF
<input type="checkbox"/> 1 Citizen of This State	<input type="checkbox"/>	<input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input type="checkbox"/>
<input type="checkbox"/> 2 Citizen of Another State	<input checked="" type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/>	
<input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/>	

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input checked="" type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	PERSONAL PROPERTY <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	FEDERAL TAX SUITS	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
	<input type="checkbox"/> 440 Other Civil Rights <input checked="" type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation - Transfer 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Diversity

Brief description of cause:

Medical mal

VI. CAUSE OF ACTION

CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VII. REQUESTED IN COMPLAINT:

(See instructions):

JUDGE

DOCKET NUMBER

SEP 15 2017

DATE 9/15/15

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 8263 Forrest Ave, Philadelphia PA 19150

Address of Defendant: Arch Lone Lagoon, VA 24457

Place of Accident, Incident or Transaction: Virginia

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases

(Please specify) _____

B. Diversity Jurisdiction Cases:

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify) *WAD*
ME
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases

(Please specify) _____

Henry Sher

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Henry J. Sher, counsel of record do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 9/15/15

Henry J. Sher

Attorney-at-Law

17762

Attorney ID.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

SEP 15 2017

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 9/15/15

Henry J. Sher

Attorney-at-Law

17762

Attorney ID.#

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

Brown
v.
Lehigh Hospital

CIVIL ACTION

17 4139

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

(a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()

(b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()

(c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()

(d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()

(e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.)

(f) Standard Management – Cases that do not fall into any one of the other tracks.

9/15/15

Date

Harry J. Shev

Attorney-at-law

215-985-1063

267-649-8036

Attorney for

JTF

hypers/outline@comcast.net

com

Telephone

FAX Number

E-Mail Address

(Civ. 660) 10/02

8/15/2017

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEROY BROWN

CIVIL ACTION

8263 FORREST AVE.

Phila. Pa 19150,

PLAINTIFF

17 4139

vs.

LEWISGALE HOSPITAL ALLEGHANY

1 ARH LANE

LOWMOOR, VA 24457

AND

ALLEGHANY REGIONAL HEALTH SYSTEM

1 ARH LANE

LOWMOOR, VA 24457

And

JEFFREY TURNER

1 ARH LANE

LOWMOOR, VA 24457

FILED

SEP 15 2017

KATE BARKMAN, Clerk
By _____ Dep. Clerk

AND

CONNIE HYLTON

1 ARH LANE

LOWMOOR, VA 24457

DEFENDANTS : JURY TRIAL DEMANDED

COMPLAINT

I. PARTIES

1) Plaintiff, Leroy Brown U.S. citizen residing in Philadelphia, Pennsylvania 2)

2) Defendants are medical providers:

LEWISGALE HOSPITAL ALLEGHANY
1 ARH LANE
LOWMOOR ,VA 24457

AND :
ALLEGHANY REGIONAL HEALTH SYSTEM
1 ARH LANE
LOWMOOR ,VA 24457

And
JEFFREY TURNER
1 ARH LANE
LOWMOOR ,VA 24457

AND
CONNIE HYLTON
1 ARH LANE
LOWMOOR VA 24457

II. NATURE OF ACTION

3. This is an action for damages arising from plaintiff's personal injuries

III. JURISDICTION

Diversity.

IV. JURY DEMAND

4) Plaintiff demands a jury.

V. FACTS

5. Plaintiff was admitted to Defendants' care on September 15, 2015.

6. On January 22, 2015, Plaintiff was under the care and treatment of the Defendants when he suffered a stroke.

Paragraphs 7-18 not applicable.

19. The Defendants failed to provide proper care to Plaintiff.
20. The improper care that was rendered caused Plaintiff to suffer a subsequent stroke.
21. The aforesaid improper care increased the risk of harm to the Plaintiff and was the cause of his stroke.
22. During his hospitalization in Defendants' facility, Plaintiff was in the care of Defendants, their agents, servants, workers and/or employees, who did impliedly agree to exercise the degree of specialized care and skill in their care of Plaintiff as is expected of a person and facilities in their professional standing.
23. The negligence of the Defendants, their officers, nurses, agents, servants, and/or employees, consisted, of the following:
 - (a) Failure to possess the degree of care and skill ordinarily exercised in similar cases;
 - (b) Failure to exercise the requisite degree of care and skill;
 - (c) Failure to possess the requisite degree of knowledge and skill ordinarily possessed;
 - (d) Failure to conform to the requisite standards of care under the circumstances;
 - (e) Failure to properly and adequately supervise Defendants' agents, servants, or employees during Plaintiff's hospital stay;
 - (f) Failure to exercise reasonable care under the circumstances;
 - (g) Failure to have reasonable, diligent and properly trained personnel on duty to care for Plaintiff;
 - (h) Failure to properly supervise their agents, servants and/or employees in the care of Plaintiff;
 - (i) Defendants are responsible for the negligent acts and omissions of their agents, servants and/or employees;
 - (j) Failure to protect Plaintiff from unreasonable and foreseeable risk of harm;
 - (k) Failure to provide good and accepted practice regarding Plaintiff's care;
 - (l) Failure to adequately monitor and/or observe Plaintiff;
 - (m) Failure to follow procedures and protocol;
 - (n) Failure to adequately set-up necessary equipment;
 - (o) Failure to provide adequate and necessary personnel;
 - (p) Failure to warn Plaintiff;
 - (q) Failure to take necessary and prophylactic steps to protect Plaintiff;
 - (r) Failure to provide skilled and competent staff;

- (s) Failure to adequately assist Plaintiff;
- (t) Such other negligence as may be discovered during the course of discovery.

24. The Defendants are all health care providers and Plaintiff is asserting professional liability claims against said Defendants.

25. By reason of the negligence and carelessness of the Defendants, Plaintiff sustained the following injuries: a stroke, possible exacerbation and aggravation of pre-existing conditions and various othis injuries, the exact extent of which are unknown at this time, shocking injury to his nerves, emotional and nervous system, which injuries may be and probably are of a permanent nature with permanent disability and loss of function, and all of which are serious injuries.

26. As a result of the injuries sustained, Plaintiff has been obliged to expend various sums of money for medicines and medical attention in and about endeavoring to treat and cure himself of his injuries, to his great financial damage and loss.

27. As a result of the aforesaid, Plaintiff in the past suffered and probably will in the future suffer great physical pain and agony; mental anguish and humiliation, he has in the past and probably will in the future be hindered and prevented from attending to his usual and daily duties, occupations, employments, pleasures and activities, and he has probably sustained a permanent impairment of his working ability and earning power.

28. As a result of the aforesaid, Plaintiff has incurred medical obligations and possible income losses as a result of the injuries sustained in this accident, the exact amount of which is unknown.

29. Said occurrence resulted solely from the negligence of the Defendants and was due in no manner whatsoever to any act or failure to act on the part of the Plaintiff.

30. At all times relevant hereto, Defendants acted or failed to act for themselves or for each other.

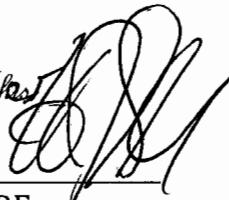
PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests the Court to:

- a) Enter judgment in his favor and against defendants individually, jointly and severally;
- b) Award his general damages;
- ~~c) Award compensatory damages to Plaintiff;~~
- ~~d) Award punitive damages to Plaintiff.~~

Respectfully submitted,

/s/: 4623 Harry J. Sh


HARRY J. SH ~~ESQUIRE~~
PA Attorney I.D. No.:
1930 Two Penn Center Plaza
1500 John F. Kennedy Boulevard
Philadelphia, PA 19102
Phone: 215.985.1003;
Fax: 267.649.8036
Email: hjshislawfirm@gmail.com